

### Remarks

Entry of the amendments presented, reconsideration of the application and allowance of all pending claims are respectfully requested in view of the remarks below. Claims 1-9 remain pending.

As requested by the Examiner in the Office Action, Applicant herein amends the section headings to delete the bold-faced, initial capitalization format and substitute therefor all capital letters. Based upon these amendments, withdrawal of the specification objection is respectfully requested.

Substantively, claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bapat et al. (U.S. Patent No. 6,236,996; hereinafter Bapat) in view of Franco et al. (U.S. Patent No. 6,687,745; hereinafter Franco), while claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bapat in view of Franco and further in view of Celik (U.S. Patent No. 6,374,259). Each of these rejections is respectfully traversed, and reconsideration thereof is requested.

An “obviousness” determination requires an evaluation of whether the prior art taken as a whole would suggest the claimed invention taken as a whole to one of ordinary skill in the art. In evaluating claimed subject matter as a whole, the Federal Circuit has expressly mandated that functional claim language be considered in evaluating a claim relative to the prior art. Applicant respectfully submits that the application of these standards to the independent claims presented herewith leads to the conclusion that the recited subject matter would not have been obvious to one of ordinary skill in the art based on the Bapat, Franco and Celik patents.

Applicant’s invention is directed to an automatic update of a user’s access right to data that is to be used in common by multiple users, the update occurring concurrently with, and in response to, a transmission of reference information to the user. The reference information refers to the data to be shared and is required by the user to access the data. That is, while reference information to shared data is being transmitted to a user, that user’s right to access the shared data is also being granted automatically. These concurrent actions differ from the conventional approach of shared data access control, wherein the grant to a user of an access right to shared

data occurs before (i.e., not concurrently with) the transmission of reference information to that data. By performing the update of access rights automatically, concurrently with, and in response to the transmission of the reference information to the user, the present invention avoids the need for an authorized entity to perform this update prior to the transmission.

As one example, Applicant claims a computer system for controlling access to data to be used in common by multiple users (e.g., claim 1). The system includes data storage for storing the data in common and an access management table that includes access management data to control an access right to the data in common. The system also includes a control means for automatically updating the access management data in the access management table, concurrent with and in response to transmitting a communication from a first user to a second user. The communication includes reference information to the data to be used in common and the first user is authorized to grant to the second user an access right to the data. The second user is granted the access right to the data pursuant to the automatic updating of the access management data responsive to the transmitting of the communication. Thus, in Applicant's claimed invention, the automatic update of the access management data is concurrent with, and responsive to, a transmission of a communication that includes reference information to a user whose access right to data to be used in common is granted pursuant to the automatic updating, which is responsive to the transmitting of the communication. This is very different from the teachings of Bapat, Franco and Celik, either alone or in combination.

For instance, Bapat fails to teach or suggest a computer system (claim 1) or communications system (claim 8) for controlling access to data to be used in common by multiple users wherein a communication that includes reference information is transmitted from a first user to a second user, and wherein the second user is granted an access right to the data pursuant to an automatic updating responsive to the transmitting of the communication. Instead, Bapat describes a technique for controlling access to data based on access restrictions in a DBMS that are updated in response to the update of access rights in an access control engine (ACE) (col. 18, lines 36-40; see also 280 in FIG. 9). This updating of access rights allows users to use standard DBMS report generators while still providing the same access restrictions as those that apply to normal management information requests (col. 3, lines 8-13). There is no discussion in Bapat of a transmission of a communication, in which reference information is

included, to a user who is granting thereby an access right to data to be used in common, let alone the granting of such an access right pursuant to an automatic updating of access management data responsive to the transmission. User access requests are depicted in Bapat in FIGs. 3, 5, 6, 9 & 10; however, none of these figures indicate that the above-described communication and associated functionality occurs. For these reasons, Applicant respectfully submits that Bapat does not teach or suggest Applicant's recited functionality characterized as described above.

The Office Action points to col. 15, line 67 – col. 16, line 7 to support a rejection of Applicant's recited "control means for automatically updating the access management data in the access management table, concurrent with and responsive to transmitting a communication, ...". This section of Bapat describes the virtually simultaneous updating of local copies of access control trees in the Management Information Server (MIS) and auxiliary servers (see FIG. 8 thereof). The presence of concurrent actions in Bapat does not describe or suggest the specific concurrent actions recited in the present invention. To perform the update of the local copy of an access control tree, the MIS and auxiliary servers are the recipients of an event notification indicating a change in the access control tree (col. 15, line 67 – col. 16, line 2). These recipient servers provide control of access rights assigned to users, but are not being granted an access right themselves pursuant to the update of the tree. In contrast, as noted above, the recipient of the communication that includes reference information is the user to whom an access right to data is granted pursuant to the automatic updating of the access management data.

The Office Action asserts that Applicant's recited transmitting of a communication in which reference information to the data in common is included from a first user who is authorized to grant an access right to the data to a second user can be read on "receiving any event notification" described by Bapat at col. 15, line 67 through col. 16, line 7. This conclusion is respectfully traversed. Applicant respectfully submits that one skilled in the art would not equate the language of his recited control means for automatically updating the access management data with a server receiving an event notification to change the server's local copy of an access control tree as described by Bapat. The communication in Applicant's recited invention is a communication in which reference information to the data in common in the data storage is provided. In Applicant's claimed computer system environment, the data storage

contains the shared data that the users are to access. The communication from the first user to the second user contains the reference information to the data in common that the second user is granted rights to by the first user. No similar communication is evident to one skilled in the art based upon the event notification discussion of Bapat.

Further, the Office Action cited col. 16, lines 55-61 relative to the above-noted concurrency feature. This section discloses a user communications interface by which insert statements and read requests are submitted and processed by a standard SQL engine. There is no discussion in this section that the insert statement and the read requests are concurrently processed. Further, the insert statement and the read requests are transmitted to components of the DBMS (see col. 16, lines 58-61 and FIG. 9 thereof), which is different from Applicant's recited communication transmitted to a user, wherein the user is granted an access right to data pursuant to an automatic updating of the access management data responsive to the transmission of the communication. Thus, Bapat does not describe or suggest this feature of the present invention.

In accordance with Applicant's processing, the second user is granted the access right to the data pursuant to the automatic updating of the access management data in the access management table responsive to the transmitting of the communication from the first user to the second user which included the reference information to the data in common in the data storage. The Office Action references col. 13, lines 17-30 for an alleged teaching of this recited functionality. This conclusion again is respectfully traversed. The cited lines of col. 13 of Bapat discuss the chart in FIG. 7 thereof, and whether access to a target object is to be granted or not. A careful reading of these lines of Bapat fails to uncover any analogous communication and automatic updating of the access management data in the access management table as recited by Applicant in the independent claims presented.

Based on the foregoing, Applicant respectfully submits that Bapat does not teach or suggest various features of Applicant's claimed invention. Moreover, Franco fails to overcome the deficiencies of Bapat as applied to the present invention.

Franco describes a system and method for delivering a graphical user interface of remote applications over a thin bandwidth connection. In one example, a first user transfers a photo-album application to another user, e.g., a third user. That is, the first user composes an e-mail message including a link and droplet to the uniquely identifiable instance of the photo-album application, which has a GUID field of value "GUID1". The link is downloadable and includes the GUID field of value "GUID1" for selectively invoking the unique instance of the photo-album application. In this way, the first user grants access to its personal photos to the third user, while substantially prohibiting others (e.g., a second user) from viewing them. (See column 22, lines 4-14 of Franco.)

Applicant respectfully submits that Franco does not overcome the above-noted deficiencies of Bapat when applied against the independent claims presented. For example, in Applicant's recited system, an access management table, including access management data, controls an access right to data in common in the data storage. Applicant's control means automatically updates the access management data in this table concurrent with and responsive to transmission of a communication from a first user authorized to grant access rights to a second user. The communication references information to the data in common in the data storage. No similar automatic and concurrent updating of a table granting access rights to the second user is taught or suggested by the above-noted example from Franco. Thus, even assuming *arguendo*, that the Examiner's extrapolated teachings from Franco are correct, the combination of Franco and Bapat as proposed in the Office Action still does not teach or suggest the specific computer system environment and functionality recited by Applicant in the independent claims presented.

For the reasons stated above therefore, Applicant respectfully submits that Franco, like Bapat, fails to teach or suggest his recited functionality, wherein there is an automatic updating of data in an access management table concurrent with and responsive to a first user transmitting a communication, in which reference information to the data in common in the data storage is included, is transferred to the second user, wherein the second user is granted the access right to the data pursuant to the automatic updating of the access management data in the table, responsive to and concurrent with the transmitting of the communication itself.

Therefore, reversal of the obviousness rejection to independent claims 1 & 8 is requested. The dependent claims are believed to be patentable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their own additional characterizations. For example, claims 4 and 6-7 are believed to recite separate basis for patentability.

Claims 4 and 6-7 recite control means that automatically update the access management data in response to a command that is automatically issued during the transmitting of the communication. The Office Action points to Bapat, col. 15, line 67 – col. 16, line 7, as teaching the “command that’s automatically issued during the transmitting of the communication” aspect of Applicant’s claimed invention. As explained above, this section of Bapat describes a virtually simultaneous updating of local copies of access control trees in the management information server (MIS) and auxiliary servers (see FIG. 8 thereof). The presence of these “virtually simultaneous” actions in Bapat, however, does not describe or suggest a specific concurrent action as recited in claims 4 and 6-7 of the present invention. Reconsideration and withdrawal of the rejection based thereon is therefor requested.

As noted, claim 9 stands rejected as obvious over Bapat, Franco and Celik. Specifically, the Office Action acknowledges that Bapat does not teach that the access management table resides on a server external to the first user and the second user, and for a teaching thereof, cites Celik.

Applicant respectfully submits that Celik does not teach the above-noted deficiencies of Bapat and Franco when applied against the independent claims presented. For example, while the Celik patent describes retrieving business contact information stored in an internet-accessible database, it fails to teach or suggest a communication, in which reference information is included, transmitted to a user who is granted an access right to data pursuant to an automatic updating of an access management data responsive to the transmitting of the communication. The information management technique of Celik includes assigning a first user a unique user identification number, storing information related to the first user in a remote database, and passing the first user’s identification number to a second user (e.g., on a business card), thereby enabling the second user to access the remote database over a network to retrieve information

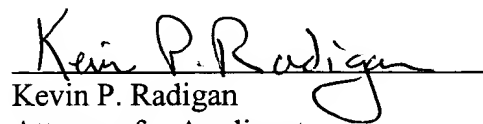
relative to the first user by entering the unique user identification number (see Abstract thereof). Prior to assigning the unique user identification number to the first user, the first user's account preferences are set up, which include various grants of access rights to the first user's information (col. 7, lines 21-23; see also col. 6, line 35 – col. 7, line 15 and FIGs. 4A, 4B & 5). Since the grant of an access right in Celik occurs before the assignment of a user identification number, the access right grant also occurs prior to the passing of the identification number from the first user to the second user. Thus, the second user is not granted an access right pursuant to an automatic updating of access management data responsive to the communication that includes the reference information, as claimed by the present invention. Instead, the second user in Celik is granted an access right pursuant to a process (see FIG. 5) that occurs prior to (not responsive to) the communication that includes reference information.

For the reasons stated above, Applicant respectfully submits that Celik, like Bapat and Franco, fails to teach or suggest the recited functionality, wherein the second user is granted the access right to the data pursuant to an automatic updating of the access management data responsive to and concurrent with the transmitting of the communication.

All the claims are believed to be in condition for allowance and such action is respectfully requested.

Should the Examiner wish to discuss this case with Applicant's attorney, the Examiner is invited to contact his representative at the below-listed number.

Respectfully submitted,

  
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